

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
THIRD DIVISION

Charles Everett Cook, et. al.,

No. 06-579 DWF/AJB

Plaintiffs,

vs.

City of Minneapolis, et al.,

Defendants.

ORIGINAL

KIRBY A. KENNEDY & ASSOCIATES
(952) 922-1955



1 APPEARANCES:

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4 TRACEY NELSON, ASSISTANT CITY ATTORNEY, CITY
5 OF MINNEAPOLIS, 333 South Seventh Street, Suite 300,
6 Minneapolis, Minnesota 55402, appeared for and on
7 behalf of the defendants.

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10 The original is in the possession of
11 Attorney Tracey Nelson.

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15 RECORD RE: CHARLES E. COOK,
16 SYLVIA M. COOK, AND
17 TIMOTHY B. COOK:

18 BY MS. NELSON

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19 EXHIBITS:

20 Exhibit 1, Letter to Albert Goins,
21 dated January 16, 2007; Affidavit
22 of Service Re: Deposition Notices;
23 Notice of Taking Deposition of
24 Charles Everett Cook; Notice of
25 Taking Deposition of Sylvia Mae
Cook; Notice of Taking Deposition
of Timothy Blake Cook; and Fax
Cover Sheet to Albert T. Goins,
with Transmission Report

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1 (At this time COOK Exhibit 1
2 was marked for identification
3 by the court reporter.)

4
5 MS. NELSON: My name is Tracey Nelson,
6 I'm an Assistant City Attorney for the City of
7 Minneapolis. I noticed the depositions of the
8 plaintiffs, Charles Cook, Sylvia Mae Cook, and Timothy
9 Blake Cook, on January 16th for the depositions to be
10 held today, January 31st, 2007, at 9:30. It is now
11 10:05. I called plaintiffs' counsel at 9:41 and it
12 was not noted to be on his schedule for these
13 depositions. I was told to call his cell phone. I
14 called his cell phone and left a message. At 10:00
15 o'clock he called me and stated that he was unaware of
16 the depositions being held today and requested that we
17 hold them another day. And I would like to offer into
18 evidence Exhibit 1, the Notice of Depositions for the
19 three named plaintiffs, the affidavit of service, the
20 letter to counsel, and the fax sheet showing that it
21 had been faxed.

22 (Whereupon, at 10:05 a.m., Wednesday,
23 January 31, 2007, the record Re:
24 CHARLES E. COOK, SYLVIA M. COOK, and
25 TIMOTHY B. COOK was adjourned.)

1 STATE OF MINNESOTA)
2 COUNTY OF HENNEPIN) SS.

3 Be it known that I took the record re:
4 Depositions of Charles E. Cook, Sylvia M. Cook, and
 Timothy B. Cook, on the 31st day of January, 2007, at
 Minneapolis, Minnesota;

6 That I was then and there a Notary Public in
7 and for the County of Hennepin, State of Minnesota,
and that by that virtue thereof, I was duly authorized
to administer an oath;

8 That the record was recorded in Stenotype by
9 myself and transcribed into typewriting under my
direction, and that the record is a true record of the
testimony given to the best of my ability;

11 That I am not related to any of the parties
hereto nor interested in the outcome of the action;

12 WITNESS my hand and seal this 31st day of
January, 2007.

Barbara A. Larsien
Barbara A. Larsien
Court Reporter

